

TO: JUDGE MANNING

MHW

FROM: SHAWNEY JACKSON #10443-424 vs. U.S. of America

RE: CASE No. (07 C 7011) WRIT OF HABEAS CORPUS (cont'd) **FILED**

DATE: APRIL 21, 2008

APR 24 2008 *aw*

4-24-2008

MICHAEL W. BOBBINS
CLERK, U.S. DISTRICT COURT

ON APPROX. FEB. 6, 2008, THIS COURT ADVISED PETITIONER THAT PETITION FOR WRIT OF HABEAS HAD BEEN FILED PREMATURELY BECAUSE REQUEST HAD NOT BEEN PRESENTED TO ATTORNEY GENERAL OR THE BUREAU OF PRISONS.

HERE IS A COPY OF BUREAU OF PRISONS DECISION REGARDING PETITIONER'S REQUEST.

PETITIONER WOULD ALSO LIKE THIS COURT TO CONSIDER THE FACT THAT PETITIONER SPENT 3-MONTHS ON ELECTRONIC MONITORING FROM SEPT. 2005 THRU DEC. 2005 FOR VIOLATION OF SUPERVISED RELEASE IN SAME CASE NO. 99 CR 261-1, AND ASK THIS COURT TO PLEASE GRANT CREDIT FOR THOSE 3-MONTHS TOWARD THIS FEDERAL SENTENCE, IF COURT WILL NOT CREDIT PETITIONER FOR TIME-SERVED FROM JULY 25, 2007 TO PRESENT. PETITIONER WOULD ALSO LIKE TO INFORM COURT THAT SHE IS IN FEDERAL CUSTODY.

THANK YOU FOR YOUR TIME AND CONSIDERATION.....

Respectfully,
Shawney Jackson
101 S. CAPITOL
PEKIN, IL 61554



U.S. Department of Justice
Federal Bureau of Prisons

Designation and Sentence Computation Center
Grand Prairie, Texas 75051

March 17, 2008

Schauncey Jackson
State #R82054
Federal Reg. No. 10443-424
P.O. Box 549
Lincoln, IL 62656

Dear Ms. Jackson:

This is in response to your correspondence received at the Designation and Sentence Computation Center. Specifically, you request your 7-month federal sentence be calculated to run concurrent to the state sentence you are currently serving.

Review of available records reflect you were in the primary custody of state authorities when the U.S. Marshals Service (USMS) "borrowed" you via a writ. While on writ, you were sentenced in federal court on September 26, 2007, to a 7-month term of confinement. Once sentencing was complete, you were appropriately returned to state authorities, as they retained primary jurisdiction. The USMS then lodged the federal Judgment and Commitment (J&C) Order as a detainer with state authorities.

The order in which sentences are served is governed by the concept of primary jurisdiction. If state and federal sentences are imposed on an individual, the sentence imposed by the sovereign with primary jurisdiction is served first. Thus, the state authorities retain jurisdiction over you until such time as they relinquish custody upon satisfaction of your obligation to the state via parole, bond, expiration of sentence, etc. In addition, your state sentence was imposed prior to your federal sentence. Therefore, the federal sentencing court had the option of running your federal sentence concurrent to the state at the time of imposition. However, the federal J&C is silent with regard to your state sentence, thus, it is calculated to run consecutive to any other sentence.

Based on the above, your federal sentence will not be calculated until you have satisfied your state obligation and been released to the primary custody of federal authorities.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lori Colley".

Lori Colley
Operations Manager

CERTIFICATE OF SERVICE

I, SHAUNCEY JACKSON, SWEAR UNDER PENALTY OF PERJURY
THAT I SERVED A COPY OF THE ATTACHED DOCUMENTS TO
PATRICK FITZGERALD U.S. ATTORNEY OFFICE 219 S. DEARBORN
CHICAGO, IL 60604, BY PLACING IT IN THE MAIL AT THE
TAZEWELL COUNTY JUSTICE CENTER ON APRIL 21, 2008.

TERRA L. BROWN
ASSISTANT UNITED STATES ATTORNEY
219 S. DEARBORN
CHGO, IL 60604

Shauncey Jackson
101 S. CAPITOL
PEKIN, IL 61554